



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3485



Public Notice

APPLICATION NO.: JCB-200304910
EVALUATOR: Ms. Joyce Butler
PHONE NO.: (601) 631-5294
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E-MAIL: regulatory@mvk02.usace.army.mil
DATE: June 6, 2003
EXPIRATION DATE: June 25, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Jim Tackett
Tackett Fish Farms
23939 County Road 523
Schlater, Mississippi 38952

Location of Work: Section 35, T21N-R3W, latitude 33°38'16.1308", longitude 90°28'58.2115", within the Big Sunflower River drainage basin, Sunflower County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear and fill 16.5 acres of vegetated wetlands. The purpose of the project would be to remove a wetland drain and convert the property to row crops.

The drain is approximately one-quarter mile long and has a maximum width of 100 feet and maximum depth of 3 feet. Existing vegetation at the site consists of scrub/shrub vegetation. All woody vegetation was removed several years ago by a previous landowner who farmed a large portion of the drain. There is an existing low water crossing in the drain which acts as a drainage divide, causing water to flow to an existing ditch on the west of the applicant's property and toward the adjacent property to the east. The drain would be mechanically cleared and filled using approximately 115,000 cubic yards of dirt from the adjacent prior converted agricultural fields. The filling of the drain would direct all drainage to the west, into the existing ditch on the applicant's property, and relieving excess flow onto the adjacent property to the east.

As mitigation for impacts to the 16.5 acres of wetlands due to the project, the applicant proposes to restore approximately 33 acres of degraded wetlands to the south of the project site. The mitigation site would be replanted in bottomland hardwoods according to the standard mitigation planting requirements and protected with a mitigation covenant. In addition, the applicant would construct screw-type water control structures in the existing spoil banks on the west and south side of the existing wooded area adjacent to the mitigation area to be planted. These structures would allow the restoration of hydrology to both the existing woods and the acreage to be replanted. The entire site would then be managed as a greentree reservoir.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and filling of the drain requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Sunflower County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic

Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Sunflower Co, MS T20N, T21N, R3W, Sect. 35, 2



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TACKETT FISH FARMS